

Louisiana Fighting Back

THE STATE of Louisiana, under federal court order to integrate Orleans Parish (county) schools and under pressure from Louisiana voters to keep the schools segregated, has gone along with the home folk. An interposition act has been approved by the legislature which, in brief, gives that body control over the schools.

Louisiana's Gov. Jimmie H. Davis previously had tried to take control of schools under special laws, but the federal court had ruled the laws invalid. Governor Davis was forced to retreat. Now he has built new fortifications, citing the Tenth Amendment to the Constitution and a resolution by Thomas Jefferson pointing out that powers not specifically granted to the federal government and not prohibited to the states, belong to the states.

Governor Faubus of Arkansas also tried interposition in Little Rock and failed. The Louisiana attempt may fail, too, for the contest is between one state and the central government representing 50 states with constitu-

tional power to maintain peace. But on the face of it, at least, the Louisiana effort sounds legal.

The success of interposition, which means placing something between two factions, hinges upon interpretation of the Constitution. The Warren Supreme Court has indicated its preference for the Hamiltonian theory that the central government possesses all powers not specifically granted to states. It also has shown that it believes court decrees are as binding as law (and no integration law has yet been passed by the Congress).

Probably, Louisiana's attempt will fail or succeed according to sentiment throughout the United States and more particularly upon the influence of minority groups and those who feel a strong central government is necessary for the U.S. This is the realistic view—which does not necessarily mean that it is the proper one.

At any rate, the South will be watching Louisiana to guide the course of future battles for states' rights.